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JUN 28 2005

To: Jade O. Laye**From:** George Brieger

ART UNIT: 2614

Fax: 703-872-9306**Pages:** (17) pages including cover sheet**Phone:****Date:** June 28, 2005**Re:** U.S. Serial No. 09/819,441**CC:**

Group Art Unit: 2614

Confirmation No: 2711

Docket No: US010107 (18745)

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

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2. Amendment Transmittal Letter (in duplicate)
3. Response Under 37 C.F.R. §1.116

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P18/REV02

[illegible]

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. US010107 (18745)	
Applicant(s): Lalitha Agnihotri, et al.						
Application No. 09/819,441	Filing Date March 28, 2001	Examiner Jade O. Laye	Customer No. 23389	Group Art Unit 2614	Confirmation No. 2711	
Invention: METHOD AND APPARATUS FOR AUTOMATICALLY SELECTING AN ALTERNATE ITEM BASED ON USER BEHAVIOR						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	18 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	6 -	6 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 _____ <i>Signature</i>			Dated: June 28, 2005			
George Brieger Registration No.: 52, 652 Scully, Scott, Murphy & Presser 400 Garden City Plaza Suite 300 Garden City, New York 11530 (516) 742-4343 Ext. 508			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence			
CC:						

P11LARGE/REV09

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. US010107 (18745)	
Applicant(s): Lalitha Agnihotri, et al.						
Application No. 09/819,441	Filing Date March 28, 2001	Examiner Jade O. Laye	Customer No. 23389	Group Art Unit 2614	Confirmation No. 2711	
Invention: METHOD AND APPARATUS FOR AUTOMATICALLY SELECTING AN ALTERNATE ITEM BASED ON USER BEHAVIOR						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	18	20	0	x \$50.00	\$0.00	
INDEP. CLAIMS	6	6	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 _____ Signature			Dated: June 28, 2005			
George Brieger Registration No.: 52, 652 Scully, Scott, Murphy & Presser 400 Garden City Plaza Suite 300 Garden City, New York 11530 (516) 742-4343 Ext. 508			<div style="border: 1px solid black; padding: 5px;"> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence </div>			
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RESPONSE UNDER 37 C.F.R.
§1.116 - EXPEDITED PROCEDURE -
EXAMINING GROUP 2614

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Lalitha Agnihotri, et al.	Examiner:	Jade O. Laye
Serial No:	09/819,441	Art Unit:	2614
Filed:	March 28, 2001	Docket:	US010107 (18745)
For:	METHOD AND APPARATUS FOR AUTOMATICALLY SELECTING AN ALTERNATE ITEM BASED ON USER BEHAVIOR	Dated:	June 28, 2005
		Confirmation No.:	2711

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P. O. Box 1450
Arlington, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. §1.116

Sir:

In response to the final Office Action mailed May 17, 2005, Applicants respectfully request under the provision of 37 C.F.R. §1.116 that the above-identified Application be amended as follows and now be allowed.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being transmitted on June 28, 2005 by facsimile to the U.S. Patent and Trademark Office at 703-872-9306.

Dated: June 28, 2005


George Brieger

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